

EXHIBIT “A”

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: DOLLAR TREE STORES, INC., a Virginia (AVISO AL DEMANDADO): corporation; JUSTINE, an individual; and DOES 1-25, inclusive.

YOU ARE BEING SUED BY PLAINTIFF: VICTORIA FRIESEN, an individual; (LO ESTÁ DEMANDANDO EL DEMANDANTE): TINA COMBS successor in interest of Decedent INELL JENKINS

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
Superior Court of California
County of Alameda
10/13/2021

Chad Finke, Executive Officer / Clerk of the Court

By: Cheryl Clark Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):
Superior Court of California, County of Alameda
1225 Fallon St.
Oakland, California 94612

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: Zavosh Rashidi, Esq.
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

DOWNTOWN LA LAW GROUP
601 N. Vermont Ave., Los Angeles, CA 90004

(213) 389-3765

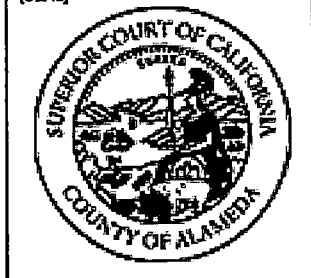
DATE: 10/13/2021 Chad Finke, Executive Officer / Clerk of the Court Clerk, by Cheryl Clark, Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): Dollar Tree Stores, Inc., a Virginia Corporation
under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☐ by personal delivery on (date):

(SEAL)



Page 1 of 1

ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

10/13/2021 at 10:54:23 AM

By: Cheryl Clark, Deputy Clerk

Zavosh Rashidi, Esq. - State Bar No. 328399
DOWNTOWN L.A. LAW GROUP
601 N. Vermont Ave.
Los Angeles, CA 90004
Tel: (213) 389-3765
Fax: (877) 389-2775
Email: Zavosh@downtownlalaw.com

Attorneys for Plaintiffs
VICTORIA FRIESON, et. al.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

VICTORIA FRIESON, an individual; TINA
COMBS successor in interest of Decedent
INELL JENKINS

Plaintiffs,

v.

DOLLAR TREE STORES, INC., a Virginia
corporation; JUSTINE, an individual; and
DOES 1-25, inclusive.

Defendants.

Case No.:

COMPLAINT FOR DAMAGES

1. NEGLIGENCE
2. PREMISES LIABILITY

[JURY DEMANDED]

COME NOW, Plaintiffs, VICTORIA FRIESON and TINA COMBS successor in
interest of Decedent INELL JENKINS, and allege against Defendants, and each of them, as
follows:

1. Plaintiffs VICTORIA FRIESON and TINA COMBS successor in interest of
Decedent INELL JENKINS are individuals and are now, and at all times mentioned in this
complaint were, adult residents of Alameda County, California.

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Los Angeles, CA 90004

1 2. Plaintiffs are informed and believe, and based upon such information and belief
2 allege that at all times relevant hereto Defendants DOLLAR TREE STORES, INC., a
3 Virginia corporation; JUSTINE, an individual; and DOES 1-25, inclusive, are, and at all
4 times herein mentioned were individuals, corporations, sole proprietors, shareholders,
5 associations, partners and partnerships, joint venturers, and/or business entities unknown,
6 primarily residing and doing business in the county of Alameda, State of California.

7 3. Plaintiffs are informed and believe, and based upon such information allege that
8 Defendant JUSTINE was a supervisor and/or manager of the store at the time of Plaintiff's
9 incident. Based on information and belief, JUSTINE is now, and at all times mentioned in
10 this complaint was, an adult resident of Alameda County, California. It is believed that
11 JUSTINE was responsible for the maintenance of the premises at the time of Plaintiffs'
12 incident, was responsible to verify that there was in place a policy which provided for the
13 maintenance of the premises according to industry standards, was responsible for the training
14 and education of the store employees who were tasked with conducting the maintenance of
15 the premises, and was responsible for verifying that the premises be maintained according to
16 industry standards and sufficient policies and procedures.

17 4. Defendants DOES 1-25, inclusive, are sued herein under fictitious names, their true
18 names and capacities being unknown to Plaintiffs. Plaintiffs will amend this complaint to
19 allege their true names and capacities when ascertained. Plaintiffs are informed and believe
20 and thereon allege that each of the fictitiously named Defendants is responsible in some
21 manner for the occurrences herein alleged, and that Plaintiffs' damages as herein alleged
22 were proximately caused by those Defendants.

23 5. Plaintiffs are informed and believe, and based upon such information and belief
24 allege that at all times relevant hereto Defendants DOLLAR TREE STORES, INC., a
25 Virginia corporation; JUSTINE, an individual; and DOES 1-25, inclusive, are, and at all
26 times herein mentioned where individuals, corporations, sole proprietors, shareholders,
27 associations, partners and partnerships, joint venturers, and/or business entities unknown,
28

1 primarily residing and doing business in the County of Alameda, State of California. At all
 2 times herein mentioned, said Defendants were the owners, lessors, sub-lessors, managing
 3 agents, landlords, renters, managers, operators, marketers, inspectors, maintainers and
 4 controllers, of a commercial property located at 1933 Davis St #145 San Leandro, CA 94577,
 5 (hereinafter referred to as "THE SUBJECT PREMISES"), to which building the general
 6 public is invited to come.

7 6. At all times herein mentioned, each of the Defendants were the agents, servants, and
 8 employees of their co-defendants, and in doing the things hereinafter alleged were acting in
 9 the scope of their authority as agents, servants, and employees, and with permission and
 10 consent of their co-defendants. Plaintiffs is further informed and believes, and thereon
 11 alleges, that each of the Defendants herein gave consent to, ratified, and authorized the acts
 12 alleged herein to each of the remaining Defendants.

13 **FIRST CAUSE OF ACTION**

14 **NEGLIGENCE**

15 **(Against All Defendants)**

16 7. Plaintiffs re-allege each and every allegation contained in the above Paragraphs 1
 17 through 6, and by this reference incorporates said paragraphs as though fully set forth herein.

18 8. On October 17, 2019 Plaintiff VICTORIA FRIESON and Decedent INELL
 19 JENKINS were lawfully on the premises of Defendants' store for the purpose of purchasing
 20 miscellaneous items. As Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS
 21 walked into the premises, an automatic door malfunctioned and struck them, causing Plaintiff
 22 VICTORIA FRIESON and Decedent INELL JENKINS to sustain the serious injuries and
 23 damages described below.
 24

25 9. Said Defendants, and each of them, fully and well knew, or should have known in the
 26 exercise of reasonable care, that the structures and/or components and/or other parts of said
 27 building were in a dangerous and defective and unsafe condition, and a menace to Plaintiffs
 28 and others lawfully on said premises.

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10. By reason of the aforesaid negligence, carelessness and recklessness of Defendants, and each of them, as aforesaid, and as a direct and proximate result thereof, dangerous automatic doors that were not properly used, installed, maintained, cleaned and/or protected at said property causing Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS to sustain the injuries and damages as hereinafter alleged.

11. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants, and each of them, as aforesaid, Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS were hurt in their health, strength and activity, sustaining severe shock and injuries to their persons, all of which said injuries have caused, continue to cause, and will in the future cause great physical and emotional pain and suffering; Plaintiffs are informed and believes, and therefore alleges, that said injuries are permanent in nature, all to their damages in a sum according to proof.

12. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants and each of them, as aforesaid, Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS have been required to obtain medical services, and Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS have suffered severe emotional distress.

SECOND CAUSE OF ACTION

PREMISES LIABILITY

(Against All Defendants)

13. Plaintiffs re-allege each and every allegation contained in the above Paragraphs 1 through 12, and by this reference incorporates said paragraphs as though fully set forth herein.

14. On October 17, 2019 Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS were lawfully on the premises of Defendants' store for the purpose of purchasing miscellaneous items. As Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS walked into the premises, an automatic door malfunctioned and struck them, causing Plaintiff

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1 VICTORIA FRIESON and Decedent INELL JENKINS to sustain the serious injuries and
2 damages described below.

3 15. On or about October 17, 2019, Defendants DOLLAR TREE STORES, INC., a
4 Virginia corporation; JUSTINE, an individual; and DOES 1-25, inclusive, carelessly and
5 negligently owned, rented, managed, leased, supervised, inspected, operated, maintained
6 and/or controlled the premises located at or near 1933 Davis St #145 San Leandro, CA
7 94577, such that it was in a dangerous, defective and unsafe condition in conscious disregard
8 for the risk of harm to invitees thereon. By reason of said carelessness, negligence and
9 conscious disregard of the Defendants, and each of them, said premises were unsafe and
10 dangerous to the general public and specifically Plaintiff VICTORIA FRIESON and
11 Decedent INELL JENKINS.

12 16. Defendants DOLLAR TREE STORES, INC., a Virginia corporation; JUSTINE, an
13 individual; and DOES 1-25, inclusive, and each of them, failed to warn Plaintiff VICTORIA
14 FRIESON and Decedent INELL JENKINS of said dangerous, defective and unsafe
15 condition, although said Defendants, and each of them, knew of said condition.

16 17. As a direct and legal result of said carelessness, negligence and conscious disregard
17 of Defendants DOLLAR TREE STORES, INC., a Virginia corporation; JUSTINE, an
18 individual; and DOES 1-25, inclusive, and each of them, Plaintiff VICTORIA FRIESON and
19 Decedent INELL JENKINS were seriously injured when they were struck by an automatic
20 door that was not properly used, installed, maintained, cleaned and/or protected at said
21 property caused Plaintiff VICTORIA FRIESON and Decedent INELL JENKINS to sustain
22 the injuries and damages as hereinafter alleged.

23 **PRAYER FOR RELIEF**

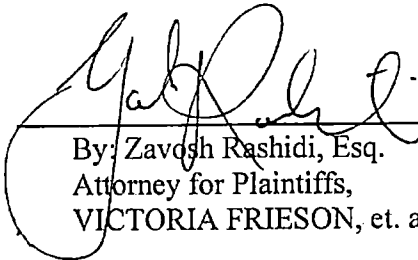
24 WHEREFORE, Plaintiffs demand judgment against Defendants as follows:

- 25
- 26 1. For general damages in a sum according to proof;
 - 27 2. For medical, hospital, and related expenses according to proof;
 - 28 3. For loss of earnings according to proof;

4. For loss of future earning capacity according to proof;
5. For costs of suit herein incurred;
6. For such other and further relief as this Court may deem proper.

DATED: October 13, 2021

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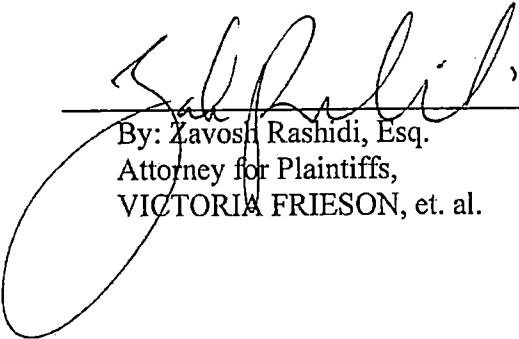
By: Zavosh Rashidi, Esq.
Attorney for Plaintiffs,
VICTORIA FRIESON, et. al.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury of all issues so triable.

DATED: October 13, 2021

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By: Zavosh Rashidi, Esq.
Attorney for Plaintiffs,
VICTORIA FRIESON, et. al.

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Zavosh Rashidi, Esq. SBN: 328399 DOWNTOWN LA LAW GROUP 601 N. Vermont Ave., Los Angeles, CA 90004 TELEPHONE NO.: (213) 389-3765 FAX NO. (Optional): (877) 389-2775 E-MAIL ADDRESS: Zavosh@downtownlalaw.com ATTORNEY FOR (Name): VICTORIA FRIESON	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Alameda 10/13/2021 at 10:54:23 AM By: Cheryl Clark, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon St. MAILING ADDRESS: 1225 Fallon St. CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME: Rene C. Davidson Alameda County Courthouse	
CASE NAME: VICTORIA FRIESON vs. DOLLAR TREE STORES, INC., et. al.	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
CASE NUMBER: _____ JUDGE: _____ DEPT.: _____	

Items 1–6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- ☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☒ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- ☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

- ☐ Wrongful termination (36)
☐ Other employment (15)

Contract

- ☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

- ☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

- ☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

- ☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation
(Cal. Rules of Court, rules 3.400–3.403)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- ☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

- ☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- ☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
 b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): Two

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 10/13/21

Zavosh Rashidi, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES**Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability *(not asbestos or toxic/environmental)* (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice *(not medical or legal)*
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract *(not unlawful detainer or wrongful eviction)*
Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage *(not provisionally complex)* (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment *(non-domestic relations)*
Sister State Judgment
Administrative Agency Award *(not unpaid taxes)*
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint RICO (27)

Other Complaint *(not specified above)* (42)
Declaratory Relief Only
Injunctive Relief Only *(non-harassment)*
Mechanics Lien
Other Commercial Complaint Case *(non-tort/non-complex)*
Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition *(not specified above)* (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

ELECTRONICALLY FILED

Superior Court of California,

County of Alameda

10/13/2021 at 10:54:23 AM

By: Cheryl Clark, Deputy Clerk

1 **Zavosh Rashidi, Esq. - State Bar No. 328399**

2 **DOWNTOWN L.A. LAW GROUP**

3 601 N. Vermont Ave.

4 Los Angeles, CA 90004

5 Tel: (213) 389-3765

6 Fax: (877) 389-2775

7 Email: Zavosh@downtownlalaw.com

8 Attorneys for Plaintiffs

9 VICTORIA FRIESON

10 SUPERIOR COURT OF CALIFORNIA

11 COUNTY OF ALAMEDA

12 VICTORIA FRIESON, an individual; TINA
13 COMBS successor in interest of Decedent
14 INELL JENKINS

15 Plaintiffs,

16 v.

17 DOLLAR TREE STORES, INC., a Virginia
18 corporation; JUSTINE, an individual; and
19 DOES 1-25, inclusive.

20 Defendants.

Case No.:

**DECLARATION OF TINA COMBS
PURSUANT TO SECTION 377.32 OF
THE CODE OF CIVIL PROCEDURE**

21
22 I, TINA COMBS, declare as follows:

23 1. I am over the age of 18 years. I have personal knowledge of the facts contained in
24 this declaration, and if called as a witness I could and would testify competently to the truth
25 of the facts stated herein.

26 2. I am the biological daughter of INELL JENKINS who died on December 6, 2020,
27 in San Leandro, California.
28

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1 3. No proceeding is now pending in the State of California for administration of the
2 Estate of INELL JENKINS.

3 4. I am one of the successors-in-interest to the Estate of INELL JENKINS as defined
4 in Section 377.11 of the Code of Civil Procedure, and succeed to their interest in the above-
5 entitled proceeding.

6 5. I am authorized by the other successors in interest to the Estate of INELL
7 JENKINS to act on its behalf in the above-entitled proceeding.

8 6. No other person has a superior right to commence the above-entitled proceeding or
9 to be substituted for the Estate of INELL JENKINS in the above-entitled proceeding.

10 7. A copy of the death certificate for INELL JENKINS is attached hereto as Exhibit
11 "A" and incorporated herein by reference.

12 I declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct and that this declaration is executed on October 13,
14 2021.

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18 TINA COMBS
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Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

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EXHIBIT “A”

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

PUBLIC HEALTH DEPARTMENT

3052020281167		CERTIFICATE OF DEATH		3202001009742	
STATE FILE NUMBER		LOCAL REGISTRATION NUMBER			
1. NAME OF DECEASED - FIRST (Given)		2. MIDDLE		3. LAST (Surname)	
INELL				JENKINS	
4. DATE OF BIRTH (month/day/year)					
01/27/1927					
5. AGE (years)					
93					
6. SEX					
F					
7. RACE					
AFRICAN AMERICAN					
8. MARITAL STATUS (at time of death)					
WIDOWED					
9. DATE OF DEATH (month/day/year)					
12/06/2020					
10. HOUR OF DEATH					
0450					
11. EDUCATION - highest grade completed					
HS GRADUATE					
12. USUAL OCCUPATION - Type of work performed at the time of death					
COOK					
13. KIND OF BUSINESS OR INDUSTRY (e.g., employer, contractor, self-employed, etc.)					
RESTAURANT					
14. DECEASED'S PLACE OF RESIDENCE (street and number, if known)					
1733 84TH AVENUE					
15. CITY					
OAKLAND					
16. COUNTY					
ALAMEDA					
17. ZIP CODE					
94621					
18. YEARS IN COUNTRY					
70					
19. STATE OF BIRTH					
CA					
20. INFORMATION - Name, Relationship					
TINA COMBS, DAUGHTER					
21. ADDRESS - Street and number, if known					
1733 84TH AVENUE, OAKLAND, CA 94621					
22. NAME OF SURVIVING SPOUSE (if any)					
23. NAME OF FATHER (if any)					
LUTHER					
24. NAME OF MOTHER (if any)					
VELMA					
25. NAME OF LAST BIRTH NAME					
GENTRY					
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CERTIFIED COPY OF VITAL RECORDS
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered
and filed with the Alameda County Health Care Services Agency

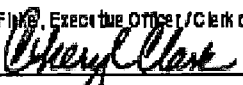
DATE ISSUED **DEC 15 2020**

INTERIM HEALTH OFFICER AND LOCAL REGISTRAR
ALAMEDA COUNTY, CALIFORNIA
This copy not valid unless prepared on engraved border displaying date and signature of Registrar.



001338197



SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 10/13/2021
PLAINTIFF(S): VICTORIA FRIESON, AN INDIVIDUAL et al	Clerk of the Court, Executive Officer / Clerk of the Court By:  Deputy
DEFENDANT(S): DOLLAR TREE STORES, INC., A VIRGINIA CORPORATION et al	
NOTICE OF CASE ASSIGNMENT	CASE NUMBER: 21CV000537

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Rule 3.734 of the California Rules of Court and Title 3 Chapter 2 of the Local Rules of the Superior Court of California, County of Alameda, this action is hereby assigned by the Presiding Judge for all purposes to:

ASSIGNED JUDGE: James Reilly
 DEPARTMENT: 25
 LOCATION: Rene C. Davidson Courthouse
 Administration Building, 1221 Oak Street, Oakland, CA 94612
 PHONE NUMBER: (510) 267-6941
 FAX NUMBER:
 EMAIL ADDRESS: Dept25@alameda.courts.ca.gov

Under direct calendaring, this case is assigned to a single judge for all purposes including trial.

Please note: In this case, any challenge pursuant to Code of Civil Procedures section 170.6 must be exercised within the time period by law. (See Code of Civ. Proc. §§ 170.6, subd. (a.)(2) and 101.3)

NOTICE OF NONAVAILABILITY OF COURT REPORTERS: Effective June 4, 2012, the court will not provide a court reporter for civil law and motion hearings, any other hearing or trial in civil departments, or any afternoon hearing in Department 201 (probate). Parties may arrange and pay for the attendance of a certified shorthand reporter. In limited jurisdiction cases, parties may request electronic recording. Amended Local Rule 3.95 states: "Except as otherwise required by law, in general civil case and probate departments, the services of an official court reporter are not normally available. For civil trials, each party must serve and file a statement before the trial date indicating whether the party requests the presence of an official court reporter."

GENERAL PROCEDURES

Following assignment of a civil case to a specific department, all pleadings, papers, forms, documents and writings can be submitted for filing at either Civil Clerk's Office, located at the Rene C. Davidson Courthouse, Room 109, 1225 Fallon Street, Oakland, California, 94612, and the Hayward Hall of Justice, 24405 Amador Street, Hayward, California, 94544 and through Civil e-filing. Information regarding Civil e-filing can be found on the courts website. All documents, with the exception of the original summons and the original civil complaint, shall have clearly typed on the face page of each document, under the case number, the following:

NOTICE OF CASE ASSIGNMENT

ASSIGNED FOR ALL PURPOSES TO
JUDGE James Reilly
DEPARTMENT 25

All parties are expected to know and comply with the Local Rules of this Court, which are available on the court's website at [http://www.alameda.courts.ca.gov/Pages.aspx/Local-Rules\(1\)](http://www.alameda.courts.ca.gov/Pages.aspx/Local-Rules(1)) and with the California Rules of Court, which are available at www.courtinfo.ca.gov.

Parties must meet and confer to discuss the effective use of mediation or other alternative dispute processed (ADR) prior to the Initial Case Management Conference. The court encourages parties to file a "Stipulation to Attend ADR and Delay Initial Case Management Conference for 90 Days." The court's website contains this form and other ADR information. If the parties do not stipulate to attend ADR, the parties must be prepared to discuss referral to ADR at the Initial Case Management Conference.

COURT RESERVATIONS

The use of the Court Reservation System (CRS) is now mandated in many civil courtrooms within the Alameda County Superior Court. Instead of calling or emailing the courtroom to make a reservation, parties with a case assigned to a courtroom using CRS are directed to utilize CRS to make and manage their own reservations, within parameters set by the courtrooms. CRS is available 24 hours a day, seven days a week and reservations can be made from a computer or smart phone. Please note, you are prohibited from reserving more than one hearing date for the same motion.

Prior to scheduling any motion on CRS, including any Applications for Orders for Appearance and Examination, or continuing any motion, please review the online information (if any) for the courtroom in which you are reserving. There may be specific and important conditions associated with certain motions and proceedings. Information is available on the court's eCourt Public Portal at www.eportal.alameda.courts.ca.gov.

Chad Finke, Executive Officer / Clerk of the Court

Chad Finke, Executive Officer / Clerk of the Court

By


C. Clark, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA		Reserved for Clerk's File Stamp FILED Superior Court of California County of Alameda 10/13/2021 Clerk of the Court By: <u>Cheryl Clark</u> Deputy C. Clark
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612		
PLAINTIFF: VICTORIA FRIESEN, AN INDIVIDUAL et al		
DEFENDANT: DOLLAR TREE STORES, INC., A VIRGINIA CORPORATION et al		CASE NUMBER: 21CV000537
NOTICE OF CASE MANAGEMENT CONFERENCE		

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve all named defendants and file proofs of service on those defendants with the court within 60 days of the filing of the complaint (Cal. Rules of Court, 3.110(b)).

Give notice of this conference to all other parties and file proof of service.

Your Case Management Conference has been scheduled on:

Date: 02/10/2022	Time: 8:30 AM	Dept.: 25
Location: Rene C. Davidson Courthouse Administration Building, 1221 Oak Street, Oakland, CA 94612		

TO DEFENDANT(S)/ATTORNEY(S) FOR DEFENDANT(S) OF RECORD:

The setting of the Case Management Conference does not exempt the defendant from filing a responsive pleading as required by law, you must respond as stated on the summons.

TO ALL PARTIES who have appeared before the date of the conference must:

Pursuant to California Rules of Court, 3.725, a completed Case Management Statement (Judicial Council form CM-110) must be filed and served at least 15 calendar days before the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record.

Meet and confer, in person or by telephone as required by Cal. Rules of Court, rule 3.724.

Post jury fees as required by Code of Civil Procedure section 631.

If you do not follow the orders above, the court may issue an order to show cause why you should not be sanctioned under Cal. Rules of Court, rule 2.30. Sanctions may include monetary sanctions, striking pleadings or dismissal of the action.

The judge may place a Tentative Case Management Order in your case's on-line register of actions before the conference. This order may establish a discovery schedule, set a trial date or refer the case to Alternate Dispute Resolution, such as mediation or arbitration. Check the court's eCourt Public Portal for each assigned department's procedures regarding tentative case management orders at <https://eportal.alameda.courts.ca.gov>.

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 10/13/2021
PLAINTIFF/PETITIONER: VICTORIA FRIESEN, AN INDIVIDUAL et al	Chad Finke, Executive Officer / Clerk of the Court By: <u><i>C. Clark</i></u> Deputy
DEFENDANT/RESPONDENT: DOLLAR TREE STORES, INC., A VIRGINIA CORPORATION et al	C. Clark
CERTIFICATE OF MAILING	CASE NUMBER: 21CV000537

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Oakland, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Dated: 10/20/2021

Chad Finke, Executive Officer / Clerk of the Court

By:

Chad Finke, Executive Officer / Clerk of the Court

C. Clark

C. Clark, Deputy Clerk

CERTIFICATE OF MAILING